

FILED

KENNETH THOMAS PEREZ, ESTATE
Office of the General Executor
General Delivery
In Care Of: 535 Box Canyon Road.
Canoga Park, California [91304-9998]
Ken.Perez1951@gmail.com

2016 APR 15 PM 12:42

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY:

Plaintiff in Propria Persona

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Kenneth, on Behalf of Himself,

Plaintiff,

vs.

AFNI, EQUIFAX, TRANSUNION,

Defendants.

Case No.

CV 16 - 02604 FMO(RAOX)

**VERIFIED COMPLAINT FOR
PERMANENT INJUNCTION,
CIVIL PENALTIES,
RESTITUTION AND OTHER
EQUITABLE RELIEF**

APR 15 2016

1 COMES NOW, Kenneth, Plaintiff, a man over the age of majority, in His right
2 mind, without waiving any rights or remedies at law or in equity, and without waiving
3 any defects or deficiencies, and here and after referred to as "Plaintiff," and for His
4 Verified Complaint against the Defendants, AFNI, ("AFNI"), EQUIFAX ("Equifax"),
5 and TRANSUNION ("Transunion") declares as follows:

6
7 **I. PRELIMINARY STATEMENT**

8 1. This is an action for negligence, defamation, and violations of the Fair
9 Credit Reporting Act ("FCRA"), 15 U.S.C. §1681 et seq., arising out of AFNI's false
10 reporting to Equifax and Transunion of an alleged delinquent debt of the Plaintiff, and
11 Equifax's and Transunion's failure to correct AFNI's false reporting on Plaintiff's
12 Equifax and Transunion credit report and out of the invasion of Plaintiff's personal
13 and financial privacy by the Defendants.

14 **II. PARTIES**

15 2. Plaintiff is currently and was at all relevant times domiciled in the
16 County of Los Angeles, California.

17 3. Plaintiff is a "consumer" as that term is defined by the FCRA, 15 U.S.C.
18 §1681a(c).

19 4. Defendant, AFNI, is a corporation doing business in the state of Illinois
20 with its principal place of business at: 404 Brock Drive. Bloomington, Illinois 61701.

21 5. AFNI is a "furnisher of information" as that term is defined by the
22 FCRA, 15 U.S.C. §1681s-2(b).

23 6. Defendant, Equifax, is a corporation organized under the laws of the
24 United States of America and is headquartered in Atlanta, Georgia.

25 7. Equifax is a "consumer reporting agency that compiles and maintains
26 files on consumers on a nationwide basis" as that term is defined by the FCRA, 15
27 U.S.C. §1681a(o).
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1 17. On or around December 8, 2015, Defendants AFNI reported to
2 Defendants Equifax and Transunion that the alleged debt was “verified” but not
3 “validated”.

4 18. As of the date of this verified complaint, no deletion has occurred and
5 Plaintiff continues to be harmed by the actions of Defendants.

6 19. Despite Plaintiff’s lawful request for removal of the disputed item
7 pursuant to the FCRA, Equifax failed to remove the disputed item from Plaintiff’s
8 credit report. Upon information and belief, Equifax did not evaluate or consider any
9 of Plaintiff’s information, claims or evidence, and did not make any and/or sufficient
10 attempts to remove the disputed item within a reasonable time following Equifax’s
11 receipt of Plaintiff’s dispute.

12 20. Despite Plaintiff’s lawful request for removal of the disputed item
13 pursuant to the FCRA, Transunion failed to remove the disputed item from Plaintiff’s
14 credit report. Upon information and belief, Transunion did not evaluate or consider
15 any of Plaintiff’s information, claims or evidence, and did not make any and/or
16 sufficient attempts to remove the disputed item within a reasonable time following
17 Equifax’s receipt of Plaintiff’s dispute.

18 21. Defendants actions have damaged Plaintiff in that Plaintiff has been
19 denied credit and/or has been forced to pay a high rate of interest for credit due to the
20 Defendants’ false reporting of Plaintiff’s alleged delinquency on the AFNI account.

21 22 **V. CLAIMS**

23 **Negligence – AFNI**

24 22. Plaintiff hereby adopts and incorporates the allegations contained in
25 paragraphs 1 through 21 as if fully set forth herein.

26 23. AFNI ’s false reporting to Equifax regarding the alleged delinquent debt
27 was negligent under applicable law. In falsely reporting the alleged debt as delinquent,
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1 AFNI breached its duty to Plaintiff to report accurate information regarding Plaintiff's
2 credit history and acted with conscious disregard for Plaintiff's rights.

3 24. AFNI's false reporting to Equifax regarding the alleged delinquent debt
4 of the Plaintiff has caused damage to Plaintiff, including, but not limited to,
5 humiliation and embarrassment, a substantial decline in Plaintiff's credit rating, and
6 other compensatory and consequential damages. AFNI's false reporting to Equifax
7 regarding the alleged delinquent debt of the Plaintiff was willful and wanton, entitling
8 Plaintiff to punitive damages therefor.

9
10 **Negligence – Equifax**

11 25. Plaintiff hereby adopts and incorporates the allegations contained in
12 paragraphs 1 through 24 as if fully set forth herein.

13 26. Equifax's failure to remove AFNI's false report of Plaintiff's alleged
14 delinquency from Plaintiff's Equifax credit report, despite Plaintiff's lawful notices to
15 Equifax of the falsity of the report, was negligent. In failing to remove AFNI's false
16 reports of Plaintiff's alleged delinquency, Equifax breached its duty to Plaintiff to
17 thoroughly investigate any and all credit reporting disputes and to maintain accurate
18 credit histories for the Plaintiff, and acted with conscious disregard for Plaintiff's
19 rights.

20 27. Equifax's negligent failure to remove AFNI's false reports of Plaintiff's
21 alleged debt from Plaintiff's Equifax credit report has caused damages to Plaintiff,
22 including, but not limited to, humiliation and embarrassment, a substantial decline in
23 Plaintiff's credit rating, and other compensatory and consequential damages.

24 28. Equifax's failure to remove AFNI's false report of Plaintiff's alleged debt
25 from Plaintiff's credit report, despite Plaintiff's lawful notices to Equifax of the falsity
26 of the reports, was willful and wanton, entitling Plaintiff to punitive damages therefor.

Negligence – Transunion

29. Plaintiff hereby adopts and incorporates the allegations contained in paragraphs 1 through 28 as if fully set forth herein.

30. Transunion's failure to remove AFNI's false report of Plaintiff's alleged delinquency from Plaintiff's Transunion credit report, despite Plaintiff's lawful notices to Transunion of the falsity of the report, was negligent. In failing to remove AFNI's false reports of Plaintiff's alleged delinquency, Transunion breached its duty to Plaintiff to thoroughly investigate any and all credit reporting disputes and to maintain accurate credit histories for the Plaintiff, and acted with conscious disregard for Plaintiff's rights.

31. Transunion's negligent failure to remove AFNI's false reports of Plaintiff's alleged debt from Plaintiff's Transunion credit report has caused damages to Plaintiff, including, but not limited to, humiliation and embarrassment, a substantial decline in Plaintiff's credit rating, and other compensatory and consequential damages.

Transunion's failure to remove AFNI's false report of Plaintiff's alleged debt from Plaintiff's credit report, despite Plaintiff's lawful notices to Transunion of the falsity of the reports, was willful and wanton, entitling Plaintiff to punitive damages therefor.

Defamation – AFNI

32. Plaintiff hereby adopts and incorporates the allegations contained in paragraphs 1 through 31 as if fully set forth herein.

33. AFNI, with knowledge of the falsity of its statements, has published and continues to publish statements to others, including, but not limited to, Equifax, that Plaintiff was past due on the alleged AFNI account and that the AFNI account was in collection status. AFNI's statements were made with conscious disregard for the rights of the Plaintiff.

1 Transunion's publication of false statements regarding Plaintiff's credit-worthiness
2 and Plaintiff's alleged delinquent debt amounts to defamation and defamation per se
3 of the Plaintiff, entitling Plaintiff to compensatory, special, consequential and punitive
4 damages therefor

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6 **Negligent Violation of the Fair Credit Reporting Act – AFNI**

7 40. Plaintiff hereby adopts and incorporates the allegations contained in
8 Paragraphs 1 through 39 as if fully set forth herein.

9 41. AFNI's false reporting to Equifax of Plaintiff's alleged delinquency is a
10 violation of AFNI's duties as a furnisher of credit information pursuant to the FCRA,
11 15 U.S.C. §1681s-2(a) and (b).

12 42. AFNI's violations of the FCRA amount to negligent non-compliance
13 with the FCRA as stated in 15 U.S.C. §1681o for which AFNI is liable to Plaintiff for
14 Plaintiff's actual damages, for statutory damages, and for Plaintiff's reasonable fees
15 associated with filing suit.

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17 **Negligent Violation of the Fair Credit Reporting Act – Equifax**

18 43. Plaintiff hereby adopts and incorporates the allegations contained in
19 Paragraphs 1 through 42 as if fully set forth herein.

20 44. Equifax's repeated failure to remove the disputed item from Plaintiff's
21 credit report despite knowledge of the falsity of the disputed item is a violation of
22 Equifax's duty to ensure maximum possible accuracy of consumer reports under
23 U.S.C. §1681e(b) and Equifax's duties regarding investigation of disputed items under
24 15 U.S.C. §1681i.

25 45. Equifax's failure to evaluate or consider any of Plaintiff's information,
26 claims or evidence, and its failure to make any and/or sufficient attempts to remove
27 the disputed item from Plaintiff's credit report within a reasonable time following
28 Equifax's receipt of Plaintiff's dispute is a violation of Equifax's duties regarding

1 investigation of disputed items under 15 U.S.C. §1681i. Equifax's violations of the
2 FCRA amount to negligent non-compliance with the FCRA as stated in 15 U.S.C.
3 §1681o, for which Equifax is liable to Plaintiff for Plaintiff's actual damages, for
4 statutory damages, and for Plaintiff's reasonable fees associated with filing suit.

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6 **Negligent Violation of the Fair Credit Reporting Act – Transunion**

7 46. Plaintiff hereby adopts and incorporates the allegations contained in
8 Paragraphs 1 through 45 as if fully set forth herein.

9 47. Transunion's repeated failure to remove the disputed item from
10 Plaintiff's credit report despite knowledge of the falsity of the disputed item is a
11 violation of Transunion's duty to ensure maximum possible accuracy of consumer
12 reports under 15 U.S.C. §1681e(b) and Transunion's duties regarding investigation of
13 disputed items under 15 U.S.C. §1681i.

14 Transunion's failure to evaluate or consider any of Plaintiff's information, claims or
15 evidence, and its failure to make any and/or sufficient attempts to remove the disputed
16 item from Plaintiff's credit report within a reasonable time following Transunion's
17 receipt of Plaintiff's dispute is a violation of Transunion's duties regarding
18 investigation of disputed items under 15 U.S.C. §1681i. Equifax's violations of the
19 FCRA amount to negligent non-compliance with the FCRA as stated in 15 U.S.C.
20 §1681o, for which Transunion is liable to Plaintiff for Plaintiff's actual damages, for
21 statutory damages, and for Plaintiff's reasonable fees associated with filing suit

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23 **Willful Violation of the Fair Credit Reporting Act – AFNI**

24 48. Plaintiff hereby adopts and incorporates the allegations contained in
25 Paragraphs 1 through 47 as if fully set forth herein.

26 49. AFNI's false reporting to Equifax of Plaintiff's alleged delinquency,
27 despite AFNI's knowledge of the falsity of its reporting, is a willful violation of
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1 AFNI 's duties as a furnisher of credit information pursuant to the FCRA, as stated in
2 15 U.S.C. §1681s-2(a) and (b).

3 50. Given AFNI 's knowledge of the falsity of its reporting, AFNI 's
4 violations of the FCRA amount to willful non-compliance with the FCRA as stated in
5 15 U.S.C. §1681n for which AFNI is liable to Plaintiff for Plaintiff's actual damages,
6 for statutory damages, for punitive damages, and for Plaintiff's reasonable fees
7 associated with filing suit.

8
9 **Willful Violation of the Fair Credit Reporting Act – Equifax**

10 51. Plaintiff hereby adopts and incorporates the allegations contained in
11 Paragraphs 1 through 51 as if fully set forth herein.

12 52. Equifax's failure to remove the disputed item from Plaintiff's credit
13 report despite knowledge of the falsity of the disputed item is a willful violation of
14 Equifax's duty to ensure maximum possible accuracy of consumer reports as stated in
15 15 U.S.C. §1681e(b) and Equifax's duties regarding investigation of disputed items
16 under 15 U.S.C. §1681i.

17 53. Equifax's failure to evaluate or consider any of Plaintiff's information,
18 claims or evidence, and its failure to make any and/or sufficient attempts to remove
19 the disputed item within a reasonable time following Equifax's receipt of Plaintiff's
20 dispute is a willful violation of Equifax's duties regarding investigation of disputed
21 items as stated in 15 U.S.C. §1681i.

22 54. Equifax's violations of the FCRA amount to willful non-compliance with
23 the FCRA as stated in 15 U.S.C. §1681n for which Equifax is liable to Plaintiff for
24 Plaintiff's actual damages, for statutory damages, for punitive damages and for
25 Plaintiff's reasonable fees associated with filing suit.

Willful Violation of the Fair Credit Reporting Act – Transunion

55. Plaintiff hereby adopts and incorporates the allegations contained in Paragraphs 1 through 54 as if fully set forth herein.

56. Transunion's failure to remove the disputed item from Plaintiff's credit report despite knowledge of the falsity of the disputed item is a willful violation of Transunion's duty to ensure maximum possible accuracy of consumer reports as stated in 15 U.S.C. §1681e(b) and Transunion's duties regarding investigation of disputed items under 15 U.S.C. §1681i.

57. Transunion's failure to evaluate or consider any of Plaintiff's information, claims or evidence, and its failure to make any and/or sufficient attempts to remove the disputed item within a reasonable time following Transunion's receipt of Plaintiff's dispute is a willful violation of Transunion's duties regarding investigation of disputed items as stated in 15 U.S.C. §1681i.

Transunion's violations of the FCRA amount to willful non-compliance with the FCRA as stated in 15 U.S.C. §1681n for which Transunion is liable to Plaintiff for Plaintiff's actual damages, for statutory damages, for punitive damages and for Plaintiff's reasonable fees associated with filing suit.

WHEREFORE, Plaintiff, Kenneth, respectfully demands the following:

1. Trial by jury on all issues so triable;
2. Judgment against the Defendants for statutory, compensatory, consequential, special and punitive damages;
3. For Plaintiff's fees and costs associated with filing suit; and,
4. Any and all other relief to which Plaintiff may appear to be entitled.

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DATED: 4/7/2016

by: /s/ *Kenneth*
Plaintiff In Pro Per
General Delivery
In Care of: 535 Box Canyon Road
Canoga Park, California [91304-9998]
KENNETH THOMAS PEREZ

VERIFICATION

I, Kenneth, declare and state as follows:

1. I am the Plaintiff in the above-entitled matter. I have read the foregoing Complaint and know the content thereof, and the same is true of my own knowledge, except as to matters which are stated upon my own information and belief, which I believe to be true.

I declare under penalty of perjury that the foregoing is true and correct.
Executed on 4/7/2016 at Los Angeles, California.

by:


Kenneth
All Rights Reserved

CIVIL COVER SHEET

I. (a) PLAINTIFFS (Check box if you are representing yourself ☒)DEFENDANTS (Check box if you are representing yourself ☐)

AFN

(b) County of Residence of First Listed Plaintiff

(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

(c) Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.

KENNETH THOMAS PEREZ, Estate

Office of the General Executor

General Delivery

In Care Of: 535 Box Canyon Road, Canoga Park, California [91304-9998]

Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.

II. BASIS OF JURISDICTION (Place an X in one box only.)

☐ 1. U.S. Government Plaintiff☐ 3. Federal Question (U.S. Government Not a Party)☐ 2. U.S. Government Defendant☒ 4. Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES-For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant)

Citizen of This State

PTF

DEF

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1

Incorporated or Principal Place of Business in this State

PTF

DEF

4

4

Citizen of Another State

☐ 2☒ 2

Incorporated and Principal Place of Business in Another State

☐ 5☐ 5

Citizen or Subject of a Foreign Country

☐ 3☐ 3

Foreign Nation

☐ 6☐ 6

IV. ORIGIN (Place an X in one box only.)

☒ 1. Original Proceeding☐ 2. Removed from State Court☐ 3. Remanded from Appellate Court☐ 4. Reinstated or Reopened☐ 5. Transferred from Another District (Specify)☐ 6. Multi-District LitigationV. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check "Yes" only if demanded in complaint.)CLASS ACTION under F.R.Cv.P. 23: ☐ Yes ☒ No☒ MONEY DEMANDED IN COMPLAINT: \$VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
15 U.S.C. §1681 et seq. Permanent injunction, Civil penalties, Restitution and other Equitable relief for violations of the FCRA. and defamation.

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES	CONTRACT	REAL PROPERTY CONT.	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
<input type="checkbox"/> 375 False Claims Act	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 462 Naturalization Application	Habeas Corpus:	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 290 All Other Real Property	TORTS	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 140 Negotiable Instrument	TORTS	PERSONAL PROPERTY	<input type="checkbox"/> 530 General	SOCIAL SECURITY
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	PERSONAL INJURY	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 371 Truth in Lending	Other:	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 863 DIWC/DIWW (405 (g))
<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 864 SSID Title XVI
<input checked="" type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 330 Fed. Employers' Liability	BANKRUPTCY	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 865 RSI (405 (g))
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 152 Recovery of Overpayment of Vet. Benefits	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 560 Civil Detainee Conditions of Confinement	FEDERAL TAX SUITS
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	FORFEITURE/PENALTY	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 350 Motor Vehicle	CIVIL RIGHTS	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
<input type="checkbox"/> 891 Agricultural Acts	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 690 Other	
<input type="checkbox"/> 893 Environmental Matters	REAL PROPERTY	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 441 Voting	LABOR	
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 710 Fair Labor Standards Act	
<input type="checkbox"/> 896 Arbitration	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 720 Labor/Mgmt. Relations	
<input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 445 American with Disabilities-Employment	<input type="checkbox"/> 740 Railway Labor Act	
<input type="checkbox"/> 950 Constitutionality of State Statutes		<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 446 American with Disabilities-Other	<input type="checkbox"/> 751 Family and Medical Leave Act	
			<input type="checkbox"/> 448 Education	<input type="checkbox"/> 790 Other Labor Litigation	
				<input type="checkbox"/> 791 Employee Ret. Inc. Security Act	

FOR OFFICE USE ONLY:

Case Number:

CV 16 - 02604

CV-71 (02/16)

CIVIL COVER SHEET

Page 1 of 3

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

VIII. VENUE: Your answers to the questions below will determine the division of the Court to which this case will be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

QUESTION A: Was this case removed from state court? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," skip to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question E, below, and continue from there.	STATE CASE WAS PENDING IN THE COUNTY OF: <input type="checkbox"/> Los Angeles, Ventura, Santa Barbara, or San Luis Obispo <input type="checkbox"/> Orange <input type="checkbox"/> Riverside or San Bernardino	INITIAL DIVISION IN CACD IS: Western Southern Eastern	
QUESTION B: Is the United States, or one of its agencies or employees, a PLAINTIFF in this action? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," skip to Question C. If "yes," answer Question B.1, at right.	B.1. Do 50% or more of the defendants who reside in the district reside in Orange Co.? <i>check one of the boxes to the right</i>	YES. Your case will initially be assigned to the Southern Division. <input type="checkbox"/> Enter "Southern" in response to Question E, below, and continue from there. <input type="checkbox"/> NO. Continue to Question B.2.	
B.2. Do 50% or more of the defendants who reside in the district reside in Riverside and/or San Bernardino Counties? (Consider the two counties together.) <i>check one of the boxes to the right</i>	YES. Your case will initially be assigned to the Eastern Division. <input type="checkbox"/> Enter "Eastern" in response to Question E, below, and continue from there. NO. Your case will initially be assigned to the Western Division. <input type="checkbox"/> Enter "Western" in response to Question E, below, and continue from there.		
QUESTION C: Is the United States, or one of its agencies or employees, a DEFENDANT in this action? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," skip to Question D. If "yes," answer Question C.1, at right.	C.1. Do 50% or more of the plaintiffs who reside in the district reside in Orange Co.? <i>check one of the boxes to the right</i>	YES. Your case will initially be assigned to the Southern Division. <input type="checkbox"/> Enter "Southern" in response to Question E, below, and continue from there. <input type="checkbox"/> NO. Continue to Question C.2.	
C.2. Do 50% or more of the plaintiffs who reside in the district reside in Riverside and/or San Bernardino Counties? (Consider the two counties together.) <i>check one of the boxes to the right</i>	YES. Your case will initially be assigned to the Eastern Division. <input type="checkbox"/> Enter "Eastern" in response to Question E, below, and continue from there. NO. Your case will initially be assigned to the Western Division. <input type="checkbox"/> Enter "Western" in response to Question E, below, and continue from there.		
QUESTION D: Location of plaintiffs and defendants? Indicate the location(s) in which 50% or more of <i>plaintiffs who reside in this district</i> reside. (Check up to two boxes, or leave blank if none of these choices apply.) Indicate the location(s) in which 50% or more of <i>defendants who reside in this district</i> reside. (Check up to two boxes, or leave blank if none of these choices apply.)	A. Orange County <input type="checkbox"/> <input type="checkbox"/>	B. Riverside or San Bernardino County <input type="checkbox"/> <input type="checkbox"/>	C. Los Angeles, Ventura, Santa Barbara, or San Luis Obispo County <input checked="" type="checkbox"/> <input type="checkbox"/>
D.1. Is there at least one answer in Column A? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "yes," your case will initially be assigned to the SOUTHERN DIVISION. Enter "Southern" in response to Question E, below, and continue from there. If "no," go to question D2 to the right.	D.2. Is there at least one answer in Column B? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "yes," your case will initially be assigned to the EASTERN DIVISION. Enter "Eastern" in response to Question E, below. If "no," your case will be assigned to the WESTERN DIVISION. Enter "Western" in response to Question E, below.		
QUESTION E: Initial Division? Enter the initial division determined by Question A, B, C, or D above:	INITIAL DIVISION IN CACD WESTERN		
QUESTION F: Northern Counties? Do 50% or more of plaintiffs or defendants in this district reside in Ventura, Santa Barbara, or San Luis Obispo counties? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

IX(a). IDENTICAL CASES: Has this action been previously filed in this court?

☒ NO ☐ YES

If yes, list case number(s): _____

IX(b). RELATED CASES: Is this case related (as defined below) to any civil or criminal case(s) previously filed in this court?

☒ NO ☐ YES

If yes, list case number(s): _____

Civil cases are related when they (check all that apply):

- ☐ A. Arise from the same or a closely related transaction, happening, or event;
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges.

Note: That cases may involve the same patent, trademark, or copyright is not, in itself, sufficient to deem cases related.

A civil forfeiture case and a criminal case are related when they (check all that apply):

- ☐ A. Arise from the same or a closely related transaction, happening, or event;
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. Involve one or more defendants from the criminal case in common and would entail substantial duplication of labor if heard by different judges.

X. SIGNATURE OF ATTORNEY

(OR SELF-REPRESENTED LITIGANT): X

DATE: 4/7/16

Notice to Counsel/Parties: The submission of this Civil Cover Sheet is required by Local Rule 3-1. This Form CV-71 and the information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. For more detailed instructions, see separate instruction sheet (CV-071A).

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))